

FILED

MAY 18 2020

AJB

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA
OAKLAND OFFICE

Hon. Kandis A. Westmore
United States District Court for the Northern District of California
Oakland Courthouse
1301 Clay Street
Oakland, California 94612

Re: *United States v. One Parcel of Real Property Located at 9414 Plaza Point Drive, Missouri City, Texas, 77459, No. 20-cv-02013-KAW (N.D. Cal.)*

Dear Judge Westmore:

I am writing to explain why the claim I filed for ownership of the defendant parcel of real property in the above captioned civil forfeiture *in rem* case was timely filed before the May 8, 2020 deadline.

Following the instructions in the Handbook for Pro Se Litigants for the United States District Court for the Northern District of California, I filed the claim on May 5, 2020, by mailing 3 copies via UPS to the Oakland Courthouse Clerk's Office, and mailing a copy for service to Plaintiff's counsel Assistant U.S. Attorney Chris Kaltsas. Because I live in Texas, I could not file the claim at the Oakland courthouse without great expense and inconvenience, and fear of exposure to the COVID-19 virus. The pro se handbook stated that I could not e-file documents until after I had appeared in the case and filed a motion with the court for permission to e-file. Thus, the only way I could file the claim was by mail.

However, due to the coronavirus pandemic, the Clerk's Office was not open every day the week of May 4. Thus, when UPS attempted to deliver the claim on Wednesday, May 6, and again on Friday, May 8, the claim could not be delivered because the Clerk's Office was closed. I have enclosed with this letter as Exhibit A a copy of UPS's tracking information for the envelope containing the claim, showing that UPS unsuccessfully attempted to deliver the envelope on May 6 and May 8, and did not successfully deliver the envelope until May 12, 2020. I have also enclosed with this letter as Exhibit B a copy of UPS's tracking information for the envelope containing the claim sent to Plaintiff's counsel, which was unsuccessfully attempted to deliver envelope on May 6 and successfully delivered on May 7, 2020.

I made sure to mail the claim to the courthouse overnight on May 5, 2020, to ensure that I would not lose my house due to any technical failure. It is not my fault that the Clerk's office was not open on May 6 or May 8 to receive and accept for filing my claim for the property. I therefore respectfully request that the Court accept my claim as having been timely filed on May 6, 2020, when UPS first attempted to deliver it to the Oakland courthouse.

Respectfully submitted,

S. Andrade 05-15-20
Solmaz Andrade

cc: Chris Kaltsas, Assistant United States Attorney

Enclosures

Exhibit A



Tracking Details

1ZW1451V1313194364

Updated: 05/16/2020 12:02 P.M. EST

Delivered

**Delivered On****Tuesday
05/12/2020****Delivery Time****at 10:05 A.M.**[Send Updates](#)**Delivered To**
OAKLAND, CA, US**Left At:** Receiver
Received By:
[Proof of Delivery](#)We care about the security of
your package. [Log in \(\)](#) to get
more details about your delivery.

| Shipment Progress | | | | |
|-------------------|--------------------------|----------------------------------|----------------------------|-----------------------------------------------------------|
| | Overview | Detailed View | | |
| | Date | Location | Activity | |
| | Delivered | 05/12/2020 10:05 A.M. | OAKLAND, CA, US | DELIVERED Proof of Delivery |

| | Date | Location | Activity |
|-------------------------------------|--------------------------------------------|----------------------------|-------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | Out for Delivery 05/12/2020 9:42 A.M. | Oakland, CA, United States | Out For Delivery Today |
| | 05/12/2020 5:34 A.M. | Oakland, CA, United States | Destination Scan |
| | 05/12/2020 4:45 A.M. | Oakland, CA, United States | Destination Scan |
| | 05/11/2020 8:53 A.M. | Oakland, CA, United States | Destination Scan |
| <input checked="" type="checkbox"/> | Delivery Attempted 05/08/2020 2:17 P.M. | Oakland, CA, United States | The receiving business was closed at the time of the second delivery attempt. A final attempt will be made. |
| | 05/08/2020 9:38 A.M. | Oakland, CA, United States | Out For Delivery Today |
| | 05/08/2020 5:01 A.M. | Oakland, CA, United States | Destination Scan |
| | 05/07/2020 9:21 A.M. | Oakland, CA, United States | Destination Scan |
| | 05/06/2020 10:25 A.M. | Oakland, CA, United States | The receiving business was closed at the time of the first delivery attempt. A second attempt will be made. |
| | 05/06/2020 9:32 A.M. | Oakland, CA, United States | Out For Delivery Today |
| | 05/06/2020 7:08 A.M. | Oakland, CA, United States | Destination Scan |
| | 05/06/2020 6:55 A.M. | Oakland, CA, United States | Arrival Scan |
| | 05/06/2020 6:45 A.M. | Oakland, CA, United States | Departure Scan |

| | Date | Location | Activity |
|-------------------------------------|----------------------|-------------------------------|----------------------------------------------|
| | 05/06/2020 5:17 A.M. | Oakland, CA, United States | Arrival Scan |
| | 05/06/2020 3:44 A.M. | Louisville, KY, United States | Departure Scan |
| | 05/05/2020 9:25 P.M. | Houston, TX, United States | Arrival Scan |
| | 05/05/2020 8:36 P.M. | Stafford, TX, United States | Departure Scan |
| <input checked="" type="checkbox"/> | Shipped | 05/05/2020 8:06 P.M. | Stafford, TX, United States Origin Scan |
| <input checked="" type="checkbox"/> | Label Created | 05/05/2020 7:08 P.M. | United States Order Processed: Ready for UPS |

Shipment Details

Service

[UPS Next Day Air Saver®](https://www.ups.com/content/us/en/shipping/time/service/next_day_saver.html) (https://www.ups.com/content/us/en/shipping/time/service/next_day_saver.html)

Weight

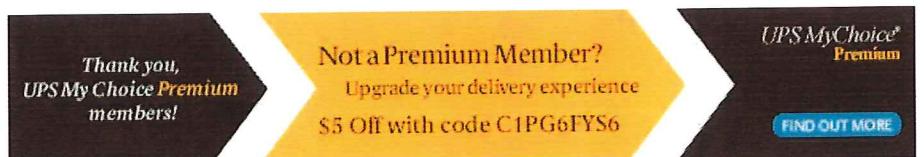
0.20 LBS

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Help

[Track](#)



(https://wwwapps.ups.com/ppc/ppc.html/preferencePage/mychoicePreference/membership?loc=en_US)

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Exhibit B



Tracking Details

1ZW1451V1379863320

Updated: 05/16/2020 12:11 P.M. EST

Delivered

**Delivered On****Thursday
05/07/2020****Delivery Time****at 10:24 A.M.**[Send Updates](#)**Delivered To**
SAN FRANCISCO, CA, US**Left At:** Front Desk
Received By:
[Proof of Delivery](#)We care about the security of
your package. [Log in \(\)](#) to get
more details about your delivery.

Shipment Progress

[Overview](#)[Detailed View](#)**Date****Location****Activity****Delivered****05/07/2020
10:24 A.M.****SAN
FRANCISCO,
CA, US****DELIVERED
[Proof of
Delivery](#)**

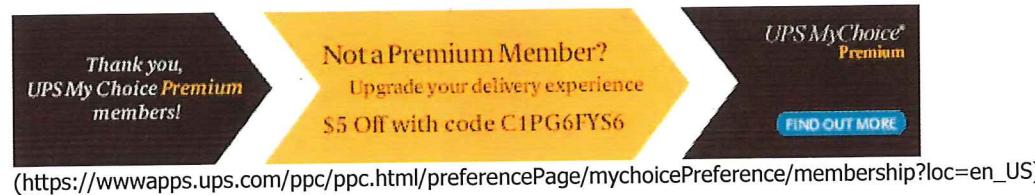
| | Date | Location | Activity |
|--------------------------------------------------------|-----------------------|----------------------------------|-------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Out for Delivery | 05/07/2020 8:35 A.M. | San Francisco, CA, United States | Out For Delivery Today |
| | 05/07/2020 5:49 A.M. | San Francisco, CA, United States | Loaded on Delivery Vehicle |
| | 05/07/2020 5:03 A.M. | San Francisco, CA, United States | Destination Scan |
| | 05/06/2020 9:29 P.M. | San Francisco, CA, United States | Destination Scan |
| <input checked="" type="checkbox"/> Delivery Attempted | 05/06/2020 3:10 P.M. | San Francisco, CA, United States | The receiving business was closed at the time of the first delivery attempt. A second attempt will be made. |
| | 05/06/2020 8:45 A.M. | San Francisco, CA, United States | Out For Delivery Today |
| | 05/06/2020 7:32 A.M. | San Francisco, CA, United States | Destination Scan |
| | 05/06/2020 7:05 A.M. | San Francisco, CA, United States | Arrival Scan |
| | 05/06/2020 6:05 A.M. | Oakland, CA, United States | Departure Scan |
| | 05/06/2020 5:17 A.M. | Oakland, CA, United States | Arrival Scan |
| | 05/06/2020 3:44 A.M. | Louisville, KY, United States | Departure Scan |
| | 05/06/2020 1:01 A.M. | Louisville, KY, United States | Arrival Scan |
| | 05/05/2020 10:09 P.M. | Houston, TX, United States | Departure Scan |
| | 05/05/2020 9:25 P.M. | Houston, TX, United States | Arrival Scan |
| | 05/05/2020 8:36 P.M. | Stafford, TX, United States | Departure Scan |

| | Date | Location | Activity |
|-------------------------------------|---------------------------------------|--------------------------------|-----------------------------------|
| <input checked="" type="checkbox"/> | Shipped 05/05/2020 8:06 P.M. | Stafford, TX, United States | Origin Scan |
| <input checked="" type="checkbox"/> | Label Created 05/05/2020 7:08 P.M. | United States | Order Processed: Ready for UPS |

| Shipment Details | |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Service | UPS Next Day Air Saver® (https://www.ups.com/content/us/en/shipping/time/service/next_day_saver.html) |
| Weight | 0.20 LBS |
| Show More + | |

 **Track** [Help](#)

[Track](#)



(https://wwwapps.ups.com/ppc/ppc.html/preferencePage/mychoicePreference/membership?loc=en_US)

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